



UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NUMBER | RECEIPT DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|--------------|-----------------------|------------------------|
| 08/586,427 | 01/16/96 | TAMARKIN | L 01994-0022 |

0222/0223

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**NOTICE OF IMPROPER FWC FILING UNDER 37 CFR 1.62
NO FILING DATE GRANTED**

02/23/96

The above identified application was deposited under 37 CFR 1.62 as a file wrapper continuing application but is improper and has not been granted a filing date for reasons shown below:

- _____ 1. The application does not include the correct application number including filing date or series code of the prior application.
- _____ 2. The application, which is not a continuation-in-part, was not filed by the same or less than all the inventors named in the prior application and no petition for correction of inventorship was filed.
- _____ 3. The application, which is a continuation-in-part, does not identify the names of all the inventors (37 CFR 1.41(a)). The application uses "et al" but only one inventor was named in the prior application.
- _____ 4. The filing date included a new specification or a copy of a specification from the prior application. See 37 CFR 1.62(e). A petition with the \$_____ fee set forth in 37 CFR 1.17(i)(1) with instructions to cancel the copy or specification may be filed if a filing date as of the receipt date noted above is desired.
- _____ 5. The request does not include an original signature of the inventor(s), assignee of the entire interest, or registered attorney or agent.
- ☒ 6. The application was not filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application:
 - _____ a) The issue fee was paid on the prior application on _____.
 - ☒ b) The prior application was abandoned, or proceedings terminated on 11/14/95.
 - _____ c) The prior application was abandoned by the filing of application number _____, under 37 CFR 1.62.
- _____ 7. Other:

The filing date will be the date of receipt of the items required above unless otherwise indicated, provided the items are filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application. Any assertions that the items required above were submitted or are not necessary for a filing date must be by a petition directed to the attention of the Office of the Assistant Commissioner for Patents. Any such petition must be accompanied by the \$_____ fee (37CFR 1.17(h)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

All of the above noted items and/or any petition must be submitted within **TWO MONTHS** of the date of this notice (37 CFR 1.81(f)) or the application will be returned upon request or abandoned and the fee, if submitted, will be refunded less the \$_____ handling fee (37 CFR 1.21(n)). **THIS TIME LIMIT MAY NOT BE EXTENDED PURSUANT TO 37 CFR 1.136.**

Direct the response and any questions about this notice to, Attention: Application Processing Division, Special Processing and Correspondence Branch.

A copy of this notice MUST be returned with the response.